



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/627593

10/13/00

TETSU

305T-900500 US

EXAMINER
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KATCHEVES

ART UNIT	PAPER NUMBER
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1636

DATE MAILED:

INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

(1) Konstantina Katcheva

(3) Lynne Pearson

(2) Remy Yucl

(4) John White

Date of Interview 7/8/03

Type: ☒ Telephonic ☐ Televideo Conference ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description: \_\_\_\_\_

Agreement ☒ was reached. ☐ was not reached. in part.

Claim(s) discussed: all pending

Identification of prior art discussed: Karin et al. & Bunker et al.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: \_\_\_\_\_

Applicant's representative requested that finality be withdrawn. Upon review of the prior art it was agreed that finality was improper. Applicant discussed the nature of the limitations and generally discussed the sections of record. Applicant was informed

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

Examiner Note: You must sign this form unless it is an attachment to another form.

Konstantina Katcheva

## Manual of Patent Examining Procedure, Section 713.04 Substance of Interview must Be Made of Record

Except as otherwise provided, a complete written statement as to the substance of any face-to-face or telephone interview with regard to an application must be made of record in the application, whether or not an agreement with the examiner was reached at the interview.

### §1.133 Interviews

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b. In every instance where recordation is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for filing the Office action as specified in §§ 1.131 and 1.135 (35 U.S.C. 132).

§ 1.2. Business to be transacted in writing. All business with the Patent and Trademark Office should be transacted in writing. The personal attendance of all persons other than duly authorized agents of the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office file, although written correspondence filed by a party is admissible in the event of a dispute as to the substance of an agreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office file that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete a two sheet carbon Interview Summary Form for each interview held after January 1, 1979 where a matter of substance has been discussed during the interview by checking the appropriate boxes and filing in the blanks in neat handwritten form using a ballpoint pen. Discussions regarding only procedural matters directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, pointing out typographical errors or unreadable script in Office actions or the like, or resulting in an examiner's amendment that fully sets forth the agreement are excluded from the interview recordation procedures below.

The Interview Summary Form shall be given an appropriate paper number placed in the right hand portion of the file and listed in the Contents section of the file wrapper. In a personal interview, the duplicate copy of the Form is removed and given to the applicant, or attorney or agent, at the conclusion of the interview. In the case of a telephonic interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication.

The Form provides for recordation of the following information:

- Application Number of the application
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (personal or telephonic)
- Name of participant(s) (applicant, attorney or agent, etc.)
- An indication whether or not an exhibit was shown (a demonstration indicated)
- An identification of the claims discussed
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the particular nature of the agreement, if any, with respect to the following:
  - 1. Amendments to the claims proposed (i.e., withdrawn)
  - 2. Amendments to the claims to be taken for tentative action (i.e., the form to be used to take action to the contrary)
  - 3. The signature of the examiner with respect to the interview
  - 4. Names of other Patent and Trademark Office personnel present

The following is an example statement from the applicant in response to a request for a written statement of the interview.

I hereby declare that the foregoing is a true and correct statement of the substance of the interview with the examiner, and that the examiner was not deceived, misled or otherwise influenced in the interview. I understand that the examiner will be based on the written record in the Office file, and that the examiner will not be bound by any oral statement made by me or my attorney or agent during the interview.

I hereby declare that the foregoing is a true and correct statement of the substance of the interview with the examiner, and that the examiner was not deceived, misled or otherwise influenced in the interview. I understand that the examiner will be based on the written record in the Office file, and that the examiner will not be bound by any oral statement made by me or my attorney or agent during the interview.

- A. I hereby declare that the foregoing is a true and correct statement of the substance of the interview with the examiner, and that the examiner was not deceived, misled or otherwise influenced in the interview. I understand that the examiner will be based on the written record in the Office file, and that the examiner will not be bound by any oral statement made by me or my attorney or agent during the interview.
- 1. A statement of the nature of the interview (i.e., personal or telephonic)
- 2. An identification of the claims discussed
- 3. An indication whether or not an exhibit was shown (a demonstration indicated)
- 4. An indication whether an agreement was reached and if so, a description of the particular nature of the agreement, if any, with respect to the following:
  - 1. Amendments to the claims proposed (i.e., withdrawn)
  - 2. Amendments to the claims to be taken for tentative action (i.e., the form to be used to take action to the contrary)
  - 3. The signature of the examiner with respect to the interview
  - 4. Names of other Patent and Trademark Office personnel present
- 5. A statement of the nature of the interview (i.e., personal or telephonic)
- 6. An indication whether or not an exhibit was shown (a demonstration indicated)
- 7. An indication whether an agreement was reached and if so, a description of the particular nature of the agreement, if any, with respect to the following:
  - 1. Amendments to the claims proposed (i.e., withdrawn)
  - 2. Amendments to the claims to be taken for tentative action (i.e., the form to be used to take action to the contrary)
  - 3. The signature of the examiner with respect to the interview
  - 4. Names of other Patent and Trademark Office personnel present

I hereby declare that the foregoing is a true and correct statement of the substance of the interview with the examiner, and that the examiner was not deceived, misled or otherwise influenced in the interview. I understand that the examiner will be based on the written record in the Office file, and that the examiner will not be bound by any oral statement made by me or my attorney or agent during the interview.

BY \_\_\_\_\_, Applicant

I hereby declare that the foregoing is a true and correct statement of the substance of the interview with the examiner, and that the examiner was not deceived, misled or otherwise influenced in the interview. I understand that the examiner will be based on the written record in the Office file, and that the examiner will not be bound by any oral statement made by me or my attorney or agent during the interview.